

**PSJ2 Exh 140**

**McKesson's Controlled Substance Monitoring Program  
Regulatory Investigative Report**

**Date:** 3/2/15

**By:** Michael Oriente

**Report RE:** Customer site visit

**Customer's Name:** Acme Fresh Markets Pharmacy # 30

**Customer's DEA Number:** FT1696232

**DETAILS** An onsite visit was conducted by Michael Oriente, RNA DRA met with Joe Lahovich, Director of Pharmacy Operations for Acme Fresh Market, at 11:00 am on Tuesday 10/28/14 at ACME 30 located at 4302 Allen Road, suite 110 Stow, Ohio 44224. The company is 135 years old and is family owned. They have 16 pharmacies located in grocery chains and 1 located at this Akron General location. The Pharmacist in charge, Corey Sawaya, demonstrated how they use the Ohio State Prescription Monitoring Program, PMP to view customers dispensed medication history for control drugs. The other pharmacist is Chuck Seyfried. They also have 2 pharmacy techs on staff. There is a pain management clinic, Summit Pain Specialists, located within Akron General Hospital medical building that the pharmacy is located in. The pharmacy is located off the lobby of the medical building on the first floor along with a Subway sandwich shop. The pain clinic is located on the 3<sup>rd</sup> floor of the building. There are several doctors offices located in the building as well as the hospital emergency department. The medical building is modern and in a very clean condition. The pain clinic is Summit Pain Specialists. The majority of the prescriptions that are filled at the pharmacy are being written at Summit Pain Specialists. For the period of 7/1/14 to 10/28/14 89% of the scripts filled by Acme 30 were from the pain clinic. The pharmacy fills prescriptions for local residents only from the area. This location pharmacy has a small front end OTC and Rx area. It is not like the rest of the pharmacies in the Acme Fresh Market chain which are located inside of grocery stores. I spent three hours speaking with Joe and the PIC about their due diligence and vetting process. They perform due diligence on filling every control script. The Pharmacy had two pharmacy techs working the counter and one pharmacist on duty. The day of my visit Joe also had the PIC on location so that we could speak uninterrupted. The pharmacy was neat, clean and orderly. The pain clinic uses an Orientation Agreement and Patient Contract. The pharmacy had a copy of the contract and provided me a copy. Also attached, is a bio from the internet on Summit Pain Specialists.

Acme 30 ran reports that show the pharmacy was at 5.2% cash payments for the 4 month period of 7/1/14 to 10/28/14. There were 10,752 total prescriptions and 562 were paid for with cash.

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**CUSTOMER'S CORRESPONDING RESPONSIBILITY** The pharmacy demonstrated the following corresponding responsibilities:

- The pharmacy fills for only local customers to the pharmacy location.
- The pharmacy accesses the State PMP to view customer's medication history. The pharmacist showed me the program and demonstrated his familiarity with accessing it and interpreting the report.
- The pharmacy had copies of the pain clinics contracts with patients for control substances.

**LICENSURE & REGISTRATION REVIEW** A review of Pharmacy State and DEA licenses by RNA RAM, Adam Palmer, showed all licenses to be up to date as of November 2014. There was one doctor at the clinic that had discipline action against him but not related to diversion.

Adam Palmer conducted additional open source research regarding Summit Pain Specialists. The only disciplinary action he found was related to the issue involving the physician who no longer works at the clinic. Below are a few links regarding the clinic. Other than these there is no additional information to report at this time.

<http://med.ohio.gov/formala/35051474.pdf>

<http://www.wkyc.com/news/article/307510/3/Investigator-Pain-doctor-accused-of-sexual-abuse-negligence>

<http://www.wkyc.com/story/news/local/summit-county/2014/08/29/just-in--verdict-to-be-read-in-bressi-sex-crimes-trial/14799405/>

<http://www.ohio.com/lifestyle/health/state-cracks-down-on-pill-mills-1.222864>

<http://www.youtube.com/watch?v=1Zs2q8zdKlc>

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**PURCHASE HISTORY REVIEW**

Chain ID		DEA Number	Name	Date	DEA Base Code		Doses
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	JAN 2014	9143	OXYCODONE	34,204
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	FEB 2014	9143	OXYCODONE	26,104
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	MAR 2014	9143	OXYCODONE	35,804
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	APR 2014	9143	OXYCODONE	32,704
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	MAY 2014	9143	OXYCODONE	54,304
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	JUN 2014	9143	OXYCODONE	69,504
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	JUL 2014	9143	OXYCODONE	70,000
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	AUG 2014	9143	OXYCODONE	69,900
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	SEP 2014	9143	OXYCODONE	69,900
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	OCT 2014	9143	OXYCODONE	67,300
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	NOV 2014	9143	OXYCODONE	67,600
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	DEC 2014	9143	OXYCODONE	63,800
712	TOPCO	FT1696232	ACME PHARMACY #30 RX	JAN 2015	9143	OXYCODONE	41,000

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712	TOPCO	FT1696232	ACME PHARMACY #30 RX	FEB 2015	9143	OXYCODONE	46,101
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DEA Number	Cal. year / month	TTL Rx Doses	TTL Rx Doses	Controls 1 Rx	Oxycodone Doses	Oxycodone / Rx Doses	Oxycodone 30ms Doses	Oxycodone 30mg Doses	Methadone Doses	Methadone / Rx Doses	Morphine Doses	Morphine / Rx Doses
FT1696232	ACME PHARMACY #30 RX											
	10/2014	155,710	117,549	76.34 %	57,300	43.78 %	7,120	10.55 %	5,496	5.53 %	14,500	9.43 %
	11/2014	153,448	127,955	83.39 %	57,800	44.05 %	7,290	10.85 %	7,300	4.75 %	23,100	15.05 %
	12/2014	166,536	129,657	76.48 %	63,620	37.63 %	6,400	10.03 %	10,848	6.45 %	20,800	12.33 %
	01/2015	111,748	85,278	76.31 %	41,000	38.89 %	5,100	12.44 %	5,342	6.79 %	14,000	12.53 %
	02/2015	119,795	93,891	76.36 %	46,201	38.57 %	2,600	5.63 %	5,180	4.32 %	14,860	12.49 %
	03/2015	7,280	5,500	74.73 %	2,400	32.61 %	600	25.39 %	2,900	27.17 %		

**CONCLUSION** My recommendation is to continue to monitor purchases and maintain thresholds for a 3 month period and then determine whether thresholds should be lowered as overall oxycodone purchases have dropped 37%.

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**Front end of pharmacy with OTC product.**

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**Rx inventory at the pharmacy.**

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**Pharmacy dispensing counter with computer system available to access state PMP.**

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**Outside of Akron General building with pharmacy on first floor and pain clinic located on 3<sup>rd</sup> floor.**

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**Building lobby with elevators. Pharmacy is located on the right.**

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**Acme Fresh Market Pharmacy off the building lobby after hours with security gates locked.**

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**Building tenant list.**

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**Front of building.**

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